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7 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 EUGENE TREMBLE III,

10 Petitioner,

11 v.

12 RON HAYNES,

13 Respondent.

CASE NO. C19-5661 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION AND
DISMISSING PETITIONER'S
HABEAS PETITION AS
SUCCESSIVE

14 This matter comes before the Court on the Report and Recommendation ("R&R")
15 of the Honorable David W. Christel, United States Magistrate Judge. Dkt. 5. The Court
16 having considered the R&R and the remaining record, and no objections having been
17 filed, does hereby find and order as follows:

- 18 (1) The R&R is **ADOPTED**;
- 19 (2) Petitioner's motion to proceed *in forma pauperis*, Dkt. 4, is **DENIED**
- 20 (3) Petitioner's federal habeas petition, Dkt. 1, is **DISMISSED without**
21 **prejudice** as successive;
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1 (4) A certificate of appealability is **DENIED**; and

2 (5) The Clerk shall enter **JUDGMENT** and close this case.

3 Dated this 4th day of September, 2019.

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6 BENJAMIN H. SETTLE
United States District Judge